



123

ACT of SEDERUNT.

OF THE

Lords of Council and Session,

*Upon their Decreet Declaring who are Members of the Colledge of Justice;
And what are their Priviledges within the Town of Edinburgh, and Liberties thereof.*



IN EDINBURGH the twenty third day of February One thousand six hundred and eighty seven years, The LORDS of Council and Session having Considered the Summons of Declarator, Raised at the Instance of the Members of the Colledge of Justice, of their Priviledges AGAINST the Town of Edinburgh; The Suspension Raised by them of the Charges given at the Instance of the Town, for Payment of the Annuity; And the Bill of Suspension given in of the Charges for their proportions of His Majesties Supply: The Answers made thereto for the Town, and whole Dispute proponed for either Party, with the Acts of Parliament, and other Acts and Writs founded on *hinc inde* in the Debate; THEY SUSTAIN the fore-said Declarator, as to the Members of the Colledge of Justice, their Immunity and Exemption from payment of the Annuity, for the Ministers Stipends, And DECERNS and DECLARES them free thereof, both as to bygones and in time-coming; AND SUSPENDS the Letters *simpliciter* for the same. And Likewise SUSTAINS the Declarator as to their Immunity from Watching and Warding, and any Impositions for the same; and from payment of any Customs, Causeys, mails, Shore-dues, and other Impositions laid on their Provisions of Meat and Drink for their Families, and their other Goods, carried to, or from the Town, and Collected at the Ports, or other places within the Liberties of the Town. AND DECLARES that the producing a Certificat Subscribed by a Member of the Colledge of Justice, bearing, that the Goods or Provisions, do properly belong to him, shall be sufficient for freeing them from paying the saids Customs and Impositions, the

Certificat being renewed once in the half Year at least; AND SUSTAINS the Declarator as to the Pursuers Exemption from the Civil Jurisdiction of the Magistrats of Edinburgh; AND DECLARES that upon their proponing Declinator thereof, the Magistrats ought to Desist from any Procedor against them, without necessity of Advocation: And before ANSWER as to the Criminal Jurisdiction, and to that Point of the Declarator, concerning the Pursuers Employing Unfree-men within the Town, THE LORDS DECLARES they will take Tryal what has been the former Custom as to both these Points, and particularly what was done in the Cases mentioned in the Debate; And the LORDS ORDAINS, That where a Taxation or Cess is Imposed by Acts of Parliament, or Convention of Estates; To which the Members of the Colledge of Justice are, or shall be lyable, that there be a special and distinct Stent made upon the Town and Suburbs for the Quota Imposed, and so much more only as may defray the incident Charges of Collecting the same, wherein no Exemption shall be given to the Magistrats, Stent-masters, or other persons, but that they be Stented for their proportions of these Impositions, als well as other Inhabitants; And likewise, that the Tenements belonging to Trades be Stented, and the Towns Common-Good, where the same consists in Land, or Fen-dues, and does not bear burden with the Shire: BUT PREJUDICE to the Town of Edinburgh, if they think fit to lay on the proportions of these who have been in use to be exempted upon their own Neighbours, but not upon any Members of the Colledge of Justice. AND to the end, these Impositions Warranted by publick Authority, may be equally laid on, and these of the Colledge of Justice who are Heretors, not burdened beyond their just proportions, THE LORDS DECLARES, that they will from time to time Nominate one Advocat, and one Writer to the Signet, for each Quarter of the Town, to Meet with the Stent-Masters, who shall be appointed by the Magistrats, at their taking of the Survey and Valuation of the whole Tenements within the Burgh and Suburbs, and of the Trade of the Burgers, which is in use to be Stented, and to bear a part of the Burden of the Cess, and to be present at all their Meetings for Imposing of the Stent, and to see that the Valuation be justly and equally made, and the Stent laid on accordingly; AND for that Effect, APPOINTS the Magistrats to make Intimation of the time of the Stent-Masters Meeting, to the Lord President of the Session, the Dean of Faculty, and the Keeper of the Signet, ten days of before, in time of Session, and twenty days in time of Vacans: And APPOINTS this Method of Stenting to begin and take effect for that Term of His Majesties Supply, due and payable at Martinmas next, One thousand six hundred and eighty seven years, but prejudice to the Town of Edinburgh to use Execution for that Terms Supply, which was payable at Martinmas last, One thousand six hundred and eighty six years, and the Whitsundays Term now ensuing, according to the Stent already Imposed for these two Terms. AND THE LORDS DO DECLARE the persons following to be Members of the Colledge of Justice, who are to Enjoy the Priviledges above-mentioned, VIZ. the Lords of Session, Advocats, Clerks of Session, the Clerks of the Bills, the Writers to the Signet, the Deputs of the Clerks of Session who Serve in the Outer-House, and three Substitutes for Registrations, being one in each Clerks Office, the three Deputs of the Clerks of the Bills, the Clerks of Exchequer, the Directors of the Chancellery their Deput and two Clerks thereof, the Writer to the Privy-Seal and his Deput, the Clerks of the General Registers of Seafins and Hornings, the Macers of the Session, the Keeper of the Minut-Book, the Keeper of the Rolls of the Inner and Outer-Houffes. AND THE LORDS Do extend the Priviledges fore-said to the persons following, VIZ. One actual Servant of each Lord of the Session, one Servant of each Advocat, four Extracters in each of the three Clerks Offices of the Session, two Servants employed by the Clerk of Register in Keeping the publick Registers, the Keeper of the Session-House, and the Keeper of the Advocats Library. IT IS ALWAYS hereby DECLARED, That if any of these Servants and others to whom the fore-said Priviledges are extended, shall Keep Merchant-Shops, Taverns or Ale-houses, or exercise any other Trade within the Burgh, they shall not enjoy any of the Priviledges above-mentioned. And ORDAINS these Presents to be Recorded in the Books of Sederunt, and to be Printed. Sic Subscribitur, G. Lockhart, I. P. D. EXTRACTED forth of the Books of Sederunt, by me George Viscount of Tarbat, Lord Mcleod and Castle-haven, &c. Clerk to His Majesties Council, Register and Rolls.



Tarbat Cl. Rgr.

GOD SAVE THE KING

Lords of Council and Session,

*Upon their Decreet Declaring who are Members of the Colledge of Justice;
And what are their Priviledges within the Town of Edinburgh, and Liberties thereof.*



T EDINBURGH the twenty third day of February One thousand six hundred and eighty seven years, The LORDS of Council and Session having Considered the Summons of Declarator, Raised at the Instance of the Members of the Colledge of Justice, of their Priviledges AGAINST the Town of Edinburgh; The Suspension Raised by them of the Charges given at the Instance of the Town, for Payment of the Annuity; And the Bill of Suspension given in of the Charges for their proportions of His Majesties Supply: The Answers made thereto for the Town, and whole Dispute proponed for either Party, with the Acts of Parliament, and other Acts and Writs founded on *hinc inde* in the Debate; THEY SUSTAIN the foresaid Declarator, as to the Members of the Colledge of Justice, their Immunity and Exemption from payment of the Annuity, for the Ministers Stipends, And DECERNS and DECLARES them free thereof, both as to bygones and in time-coming; AND SUSPENDS the Letters *simpliciter* for the same. And Likewise SUSTAINS the Declarator as to their Immunity from Watching and Warding, and any Impositions for the same; and from payment of any Customs, Causeys, maills, Shore-dues, and other Impositions laid on their Provisions of Meat and Drink for their Families, and their other Goods, carryed to, or from the Town, and Collected at the Ports, or other places within the Liberties of the Town. AND DECLARES that the producing a Certificat Subscribed by a Member of the Colledge of Justice, bearing, that the Goods or Provisions, do properly belong to him, shall be sufficient for freeing them from paying the saids Customs and Impositions, the Certificat being renewed once in the half Year at least; AND SUSTAINS the Declarator as to the Pursuers Exemption from the Civil Jurisdiction of the Magistrats of Edinburgh; AND DECLARES that upon their proponing Declinator thereof, the Magistrats ought to Desist from any Procedor against them, without necessity of Advocacion: And before ANSWER as to the Criminal Jurisdiction, and to that Point of the Declarator, concerning the Pursuers Employing Unfree-men within the Town, THE LORDS DECLARES they will take Tryal what has been the former Custom as to both these Points, and particularly what was done in the Cases mentioned in the Debate; And the LORDS ORDAINS, That where a Taxation or Cess is Imposed by Acts of Parliament, or Convention of Estates; To which the Members of the Colledge of Justice are, or shall be lyable, that there be a special and distinct Stent made upon the Town and Suburbs for the Quota Imposed, and so much more only as may defray the incident Charges of Collecting the same, wherein no Exemption shall be given to the Magistrats, Stent-masters, or other persons, but that they be Stented for their proportions of these Impositions, als well as other Inhabitants; And likewise, that the Tenements belonging to Trades be Stented, and the Towns Common-Good, where the same consists in Land, or Fen-dues, and does not bear burden with the Shire: BUT PREJUDICE to the Town of Edinburgh, if they think fit to lay on the proportions of these who have been in use to be exempted upon their own Neighbours, but not upon any Members of the Colledge of Justice. AND to the end, these Impositions Warranted by publick Authority, may be equally laid on, and these of the Colledge of Justice who are Heretors, not burdened beyond their just proportions, THE LORDS DECLARES, that they will from time to time Nominat one Advocat, and one Writer to the Signet, for each Quarter of the Town, to Meet with the Stent-Masters, who shall be appointed by the Magistrats, at their taking of the Survey and Valuation of the whole Tenements within the Burgh and Suburbs, and of the Trade of the Burgers, which is in use to be Stented, and to bear a part of the Burden of the Cess, and to be present at all their Meetings for Imposing of the Stent, and to see that the Valuation be justly and equally made, and the Stent laid on accordingly; AND for that Effect, APPOINTS the Magistrats to make Intimation of the time of the Stent-Masters Meeting, to the Lord President of the Session, the Dean of Faculty, and the Keeper of the Signet, ten days of before, in time of Session, and twenty days in time of Vacans: And APPOINTS this Method of Stenting to begin and take effect for that Term of His Majesties Supply, due and payable at Martinmas next, One thousand six hundred and eighty seven years, but prejudice to the Town of Edinburgh to use Execution for that Terms Supply, which was payable at Martinmas last, One thousand six hundred and eighty six years, and the Whitsundays Term now ensuing, according to the Stent already Imposed for these two Terms. AND THE LORDS DO DECLARE the persons following to be Members of the Colledge of Justice, who are to Enjoy the Priviledges above-mentioned, VIZ. the Lords of Session, Advocats, Clerks of Session, the Clerks of the Bills, the Writers to the Signet, the Deputs of the Clerks of Session who Serve in the Outer-House, and three Substitutes for Registrations, being one in each Clerks Office, the three Deputs of the Clerks of the Bills, the Clerks of Exchequer, the Directors of the Chancellery their Deput and two Clerks thereof, the Writer to the Privy-Seal and his Deput, the Clerks of the General Registers of Sessions and Hornings, the Macers of the Session, the Keeper of the Minut-Book, the Keeper of the Rolls of the Inner and Outer-Houses. AND THE LORDS Do extend the Priviledges foresaids to the persons following, VIZ. One actual Servant of each Lord of the Session, one Servant of each Advocat, four Extracters in each of the three Clerks Offices of the Session, two Servants employed by the Clerk of Register in Keeping the publick Registers, the Keeper of the Session-House, and the Keeper of the Advocats Library. IT IS ALWAYS hereby DECLARED, That if any of these Servants and others to whom the foresaids Priviledges are extended, shall Keep Merchant-Shops, Taverns or Ale-houses, or exercise any other Trade within the Burgh, they shall not enjoy any of the Priviledges above-mentioned. And ORDAINS these Presents to be Recorded in the Books of Sederunt, and to be Printed. Sic Subscribitur, G. Lockhart, I. P. D. EXTRACTED forth of the Books of Sederunt, by me George Viscount of Tarbat, Lord Mcleod and Castle-haven, &c. Clerk to His Majesties Council, Register and Rolls.



Tarbat Cl. Rgr.

GOD SAVE THE KING.